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California Civil Liberties Advocacy
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Monday, February 18, 2019

Assembly Public Safety Committee
c/o Elizabeth Potter
Legislative Office Building
1020 N Street, Room 111
Sacramento, California 95814
elizabeth.potter@asm.ca.gov

RE: Support for AB 32 (Bonta)

Dear Committee Members:

The California Civil Liberties Advocacy is writing to express **support** for AB 32 (Bonta). According to the bill's language, AB 32 will prohibit CDCR from contracting with, or renewing contracts with private, for-profit prison corporations, beginning in 2020. In 2028, the bill would also prohibit inmates and anyone under CDCR's jurisdiction from being incarcerated in private, for-profit prison facilities.

The privatization of America's prison system is a disgrace, where profit incentives trump basic human rights. The New York Times reported last year, in one high-profile federal civil rights case, that "[a] mentally ill man on suicide watch hanged himself, gang members were allowed to beat other prisoners, and those whose cries for medical attention were ignored resorted to setting fires in their cells."ⁱ And according to a 2016 report from the United States DOJ, private prisons are more violent than institutions run by the government, for both inmates and guards.ⁱⁱ That same report "found that private prisons reported 28 percent more inmate-on-inmate assaults than public prisons, and inmates in private prisons had twice as many weapons."ⁱⁱⁱ Add to this fact that the United States imprisons more people than any other nation on earth, and the motivation to incentivize corporations to house and provide security and resources for inmates becomes even more questionable. The United States interns about 2.2 million people (about one-quarter of our population), while the total population in the U.S. accounts for only about 5% of the world's population.^{iv} It is clear to see that all of this is result of corporations attempting to maximize profits, minimize costs, and mitigate liabilities. Corporations that run private prisons claim they are saving the government money, but the reality is that they are only interested in their bottom line.

Some people believe prisoners shouldn't have human rights. They argue that inmates are there for a reason. While the justness of the American criminal legal system is beyond the scope of this issue and could be debated endlessly, we'll assume the argument to be true that every last prisoner is interned by their own design. What kind of nation sinks to the level of the criminals it

"Indifference to personal liberty is but the precursor of the state's hostility to it."

— Justice Kennedy, U.S. Supreme Court

seeks to punish? The CCLA strongly supported AB 2590 (Weber-2016), which amended California’s public policy to state that the purpose of criminal sentencing is “public safety achieved through punishment, rehabilitation, and restorative justice.” The original version of that bill did not even include “punishment,” and the CCLA opposed the amended language. And there is a growing body of evidence supporting theories that programs designed to facilitate rehabilitation are more effective at enhancing public safety than mass incarceration. According to an article published by the American Psychological Association, “when properly implemented, work programs, education and psychotherapy can ease prisoners’ transitions to the free world.”^v In contrast, similar studies have found that the environment inmates are exposed to is a powerful influence on behavior, “often to the detriment of both prisoners and prison workers.”^{vi}

The CCLA believes that taking a stand against the private prison industry is both conducive to public safety in California, and consistent with California values.

For all of the abovementioned reasons, the CCLA strongly **supports** AB 137.

Very truly yours,



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ⁱ <https://www.nytimes.com/2018/04/03/us/mississippi-private-prison-abuse.html>

ⁱⁱ <https://oig.justice.gov/reports/2016/e1606.pdf>

ⁱⁱⁱ <https://www.thedailybeast.com/he-worked-undercover-in-a-for-profit-prison-and-it-got-ugly>

^{iv} https://www.huffingtonpost.com/bernie-sanders/we-must-end-for-profit-pr_b_8180124.html

^v <https://www.apa.org/monitor/julaug03/rehab>

^{vi} Ibid.